

**REMARKS/ARGUMENTS**

Claims 1-12 are currently pending in this application.

**Allowable Subject Matter**

Applicants thank the Examiner for indicating that claims 4, 5, 8-10 contain allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Rejection under 35 U.S.C. §103**

The Action rejected claims 1-3, 6, 7, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over the article, "Experimental Demonstration of Evanescent Coupling from Optical Fibre Tapers to Photonic Crystal Waveguides" by Barclay et al. ("Barclay article"). The Action also states that Applicants cannot rely upon the foreign priority application to overcome this rejection because a certified English translation of such application has not been made of record in accordance with 37 CFR 1.55.

It appears from the Barclay article that it was first published on May 29, 2003. The present application claims priority from Taiwanese application number 092109274, which was filed on April 21, 2003. Claims 1-12 of the present application are fully supported by the Taiwanese application. Furthermore, Applicants submit a certified translation of Taiwanese application number 092109274 herewith that

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complies with 37 CFR 1.55. Therefore, the Barclay article is not prior art to the claims of the present application under 35 U.S.C. § 103(a). Because the Barclay article is not prior art to the claims of the present invention, Applicants submit that the 35 USC § 103(a) rejection should be withdrawn.

### **Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that an interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

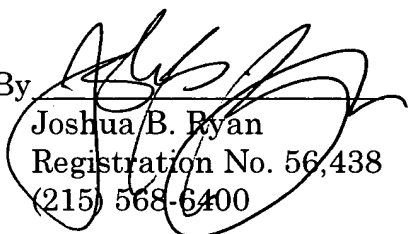
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In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims 1 - 12, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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Enclosure